

<input checked="" type="checkbox"/> FILED	<input type="checkbox"/> LODGED
<input type="checkbox"/> RECEIVED	<input type="checkbox"/> COPY
OCT 22 2009	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY _____	DEPUTY

WO

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,

CR-09-50116-001-PHX-DGC

Plaintiff,

vs.

Oscar Garcia-Esquivel,

ORDER

Defendant.

A detention hearing and a preliminary revocation hearing on the Petition on Supervised Release were held on October 15, 2009.

THE COURT FINDS that the Defendant has knowingly, intelligently, and voluntarily waived his right to a detention hearing and a preliminary revocation hearing and has consented to the issue of detention being made based upon the allegations in the Petition.

THE COURT FURTHER FINDS that the Defendant has failed to sustain his burden of proof by clear and convincing evidence pursuant to Rule 32.1(a)(6), FED.R.CRIM.P., that he is not a flight risk. *United States v. Loya*, 23 F.3d 1529 (9th Cir. 1994).

IT IS ORDERED that the Defendant shall be detained pending further order of the court.

DATED this 21st day of October, 2009.



Lawrence O. Anderson
United States Magistrate Judge